

Question: Since when did talking to a taghut become shirk?!

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

Some contradictions amongst those who say "every entering into courtrooms is shirk.." (May Allah guide them to what pleases Him)

Contradiction 1:

Some claim that merely entering the courtroom is "shirk akbar", even if you do not say one single word there. According to this view, the mere presence is an act of worship and iman in taghut.

Whilst others say that it is ok to go there and hear the accusation against you, but you aren't allowed to talk, otherwise this is "shirk akbar", because your talking is "helping the taghut in his transgression."

Question: So, which one is it now? Would it be allowed to hear what the taghut says and accuses a muslim for, or is it "shirk akbar" just to attend?!

This happens when you don't know what shirk akbar (worship of other than Allah the Most High) really is, and when you make general statements without understanding the outcome from it.

{ مَا لَكُمْ كَيْفَ تَحْكُمُونَ }

{ أَمْ لَكُمْ كِتَابٌ فِيهِ تَدْرُسُونَ }

Contradiction 2:

Some claim that, as long you don't go to the courtroom yourself, then you are free from shirk akbar and you could send someone who speaks for you, or send a letter, sms, e-mail or make a phone call and declare that you do not wish any judgment and you reject the accusation and so on.

While the others say: Even if you send one single letter, sms, e-mail or someone utters one single word in your name, you will become mushrik because "you have helped the taghut to make a decision".

Question: Which one is now "shirk akbar"?

Sending a letter, sms or e-mail to the court and declaring that you are free from these accusations, rejecting them and that you don't want any judgment: Mubah or shirk biLLAH?

{ مَا لَكُمْ كَيْفَ تَحْكُمُونَ }

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Again, this happens when you do not know what shirk akbar is and when you come with general statements.

Contradiction 3:

Scenario: A taghut knocks on your door and he has with him a group of mushrikeen who accuse you for breaking their idols, stealing their money and killing their leader Zayd. These mushrikeen complained and accused the muslim for stealing their property, so they went to a taghut and asked him to judge between the muslim and the mushrikeen.

Now, some claim that you can make idh-haru deen in this case - because this doesn't happen in a courtroom but they came to you instead - and you can tell them that you did not do these actions, that you do not want any judgment from them, that they should leave you alone and stop asking you and stop making dhulm (injustice).

But they claim that if the same happens in a courtroom, it will be "shirk akbar".

Whilst others say: "It is shirk akbar to say even one single word to the taghut in all cases, because he will then judge you based on your declaration and you helped him in his transgression."

Question: Why is the same action allowed outside the court, but "shirk akbar" if it happens in a courtroom according to some?!

Since when did the place decide when something is shirk akbar and when it's mubah?

{ مَا لَكُمْ كَيْفَ تَحْكُمُونَ }

{ أَمْ لَكُمْ كِتَابٌ فِيهِ تَدْرِسُونَ }

Those who say, its "shirk akbar to answer the taghut in all cases, no matter if in courtroom or when they come to you" are much more "honest" in their deviation because they know there is no dalil for this categorization (changing the ruling based on the place), even though their deviation is far worse compared to the first group.

And as we have seen during the last years, the people who do not know the meaning of what tahakum actually is, end up making takfir on each other and accusing each other for "not knowing what shirk is.." and "allowing tahakum to taghut.."

Question: If the taghut comes with a group of mushrikeen who accused a muslim for some crimes, should he just be quiet, and not say anything, or is it allowed for him to utter some words to them (declare himself free from the batil and accusations which they came with)? Which one is it?

Contradiction 4:

A question that was made to us:

"If you allow to reject the accusation and make idh-haru deen in the courtroom, then would it be also allowed to wear a cross and then enter the church and make idh-haru-deen and reject the faith of the mushrikeen?"

The questioner here showed his ignorance in this issue: He compared rejection of the accusation with the wearing of the cross. How on earth can it be allowed to wear a cross - which is an act of kufr no matter inside or outside the church - in order to reject the faith of mushrikeen in the church?

How is wearing the cross equal to rejecting an accusation and making idh-haru-deen in front of a taghut?

Because wearing a cross is kufr in all situations, whilst rejecting an accusation and making idh-haru din, is part of Iman.

These are two different issues, which show once more how confused some people are. Again, this happens when people do not understand what they actually believe, nor do they understand the real aqeedah of those whom they disagree with.

Contradiction 5:

Their general statement: "Going to the courthouse is tahakum by action, and shirk akbar in every case."

This generalization is not correct and it has no foundation in the religion of Allah the Most High. Both we and they know that there is no dalil for this saying in Quran and Sunnah, and this is why we ask them:

Can you then show us at least one of the salaf who said: "Going to the courthouse is tahakum by action.."? Who defined what "tahakum by action" is?

Question: If the mere "going to the courthouse is tahakum by action", then we ask them:

- A muwahid is called by the taghut because he is accused of having raped a woman and stolen a car. This muwahid goes there, listens to the accusation, tells them he rejects this accusation and rejects the taghut, then before the taghut leaves the courtroom, the muslim kills the taghut with the accuser, and gets killed by the guards. Did he die as Mushrik, or Muwahid?

According to the belief of some extremist, he has died as a mushrik, because "his going to the courtroom is tahakum by action..", and if someone would just doubt in this, he would be a "mushrik for not knowing that he did tahakum by action.."

If they say: "No, he dies as shaheed inshALLAH because he did not go there for tahakum" then they have refuted themselves and affirm what we say: Not every entering in courtrooms means that you are asking or seeking judgment from them in a dispute, but it comes back to why the muwahid went there.

Contradiction 6:

They claim: "Yes, but when you do your rejection and show your belief, the taghut will judge you based on what you said, he will even hate you more and punish more and you helped him in his transgression by saying something."

We say: This also shows that these people do not know what shirk really is, nor do they know what tahakum ila taghut is. (Because tahakum is not being judged by a taghut nor doing an act which is illegal in the law of the kuffar and they based upon this wish to judge you, rather tahakum is seeking a judgement in a dispute with another party.)

Question: If the taghut says: "I see you are a honest man, and I know that you muslims do not make these kind of crimes. Let me deal with the accuser, because I know he is a liar, and you can go home.."

Is the muslim in this case free from shirk akbar, because the taghut dropped the whole thing? If they say: "Yes, he is not guilty of shirk, because the taghut didn't make any judgment.." then we say:

You have refuted yourself again, because you firstly claimed that the "mere going to the

courtroom is tahakum by action", but now his kufr is dependent upon the outcome of the situation. How did this muslim who went there know if he will be judged or not? How did he know if the taghut will show up or not? How did he know if the taghut will drop the whole thing, or judge him and punish him?! (And if he didn't know any of these things, how can you claim that him going there equals tahakum?)

Question: If the muslim is quiet in the courtroom and does not say anything at all and the taghut says: "If you do not say anything, we will punish you even more and put you for XX years in jail.."

This muslim, even though he did not say anything, must be guilty of "shirk akbar" according to them, because the taghut has made a harsher punishment on him because of his silence.

If they say: "He is a muslim and we look what the muslim did, not what the taghut did.." then they have refuted themselves again and they affirmed what we explained and believe. The actions of the muslims count, and not what the taghut does or does not.

Example of ignorance amongst some extremist

One thing that has made us doubt in the 'aql of some extreme people is their saying: "To make a lot of takfir is like a protection shield. Instead of me being a kafir I will make takfir to be on the safe side.."

This type of takfir has nothing to do with wrong understanding of the nusus, but this is pure jahl and takfir based on desires. Takfir must be made with full certainty, whilst knowing and believing that the action based upon which takfir is made is shirk biLLAH in the religion of Allah and the doer is guilty of it and becomes mushrik.

An example, that not every "entering/answering the call of taghut" is equal to worshipping him.

Asking a saahir (fortune teller) about the unseen (ghayb) and believing him, is shirk biLLAH. This is a clear issue in which no muslim doubts.

Muhammed ibn Abdillah (alayhi salam) said:

(من أتى عرافاً أو كاهناً فصدقه فقد كفر بما أنزل على محمد)

"Whoever goes to a fortune-teller and believes in him, has disbelieved in what has been sent down to Muhammed.."

If the saahir (i.e. taghut - because he claims to know the unseen) invites a Muwahid, and says:

"Come tomorrow at 07.00 am to my house, and I will tell you some hidden issues. I know the unseen..."

This muslim goes there, and tells him:

"I didn't come here to ask you about knowledge of the hidden matters (ghayb), nor do I believe that anybody besides Allah knows the ghayb. I advise you to repent and leave me alone.."

Is this muwahid guilty of shirk akbar, or did he forbid the evil and command good?

According to the Usul of some juhhal (ignorant people), this muslim fell in "shirk akbar" because he "answered the call of taghut" and "he went there by free will to the place where shirk is done".

Think about this, and you will understand that not every "answering the call of taghut" is shirk akbar in the Religion of Allah. Perhaps it is in the religion of some extreme people..

Question:

What if the Saahir repents and becomes muwahid? Will this change the hukm? If this changed the hukm, then again they have refuted themselves, because they made takfir on the muslim based on the action of others. And they retract the takfir on the muslim based on the action of others. So, the actions and sayings of the muslim have no value at all, nor do they take them in consideration. Ajeeb.

What if the saahir decides to kill the Muwahid because he did not believe in him knowing the ghayb and because he made idh-haru-deen? Does the muwahid die as "mushrik" or shaheed?

It's very easy to destroy the faasid usul of extreme people, because they will run away and never answer these questions. Some of them will know they have fallen in major contradictions, but the pride and ego will not let them make tawbah publicly, except those whom Allah has shown His mercy.

Some of them as we know now, even left the deen completely, may Allah protect us.

Even the khawarij had their "adillah" for considering every sin as kufr. Don't think they didn't read the Quran. The problem was that they didn't understand the words of Allah properly. Of course ahlu-bidah will also build their views on misunderstandings. If u think there are no khawarij, ahlu-bidah and ahlu-hawaa today, you should go back and check what the salaf had to deal with. Even the sahabah could not convince thousands of the khawarij, so what about others then?"

Conclusion:

What we say and believe is:

- 1- Whoever is asking or seeking judgment from a taghut to solve a dispute is a mushrik.
- 2- The mutahakim (the one asking or seeking judgment from taghut in a dispute) is guilty of shirk akbar and it doesn't matter if he says: "I am just defending myself"
- 3- It doesn't matter if this occurs in a courtroom, in the street or in a vehicle or any other place, because the place doesn't change the ruling. Nor does it matter if the asking and seeking of judgment happens through phone, letter or any other way.
- 4- Whoever is seeking judgment from a taghut by sending someone on his behalf, or sending a letter, e-mail or even telelink, is a mushrik, even if the taghut, the accuser and accused one are thousands of miles away from each other.
- 5- Whoever is accused and called by a taghut and he declares himself free from those accusations, makes disavowal of it, rejects it and makes it clear that he doesn't want any judgement from them - be it by e-mail, letter, sms, video message or telelink - is not worshiping other than Allah and he is free from shirk and kufr. He is a muwahid and if the taghut decides to kill him, he dies as shaheed, inshAllah.
- 6- Anybody who claims: "It is allowed to send a letter/e-mail/sms with your rejection (disavowal) from the accusation and to make idh-haru-Deen, but going there and saying it instead is shirk akbar", then we say: "You do not know what shirk akbar is, nor are you judging with what Allah has revealed. Allah the Most High did not make this type of differentiation nor is there any dalil in Quran and Sunnah that proves this. The hukm of the one who does not rule by what Allah has revealed is known.

Why is it allowed to send a letter/e-mail/sms/video message, but saying it with your own words is "worshiping the taghut"?!

How are you judging? Is this hukmuLLAH or your own interpretation that is judging?

- 7- Those who claim that every dialog with the taghut - no matter where and no matter how (sms/e-mail or letter) - is always shirk akbar, they are worse than the one we mentioned before (under point 6), but they are more "honest" in their batil. This type also judges with other than Allah has revealed and does not know what shirk is.

8- We do not agree with the general statement: "Showing up in the courtroom is tahakum", but we say: Every seeking and asking for judgment from taghut in a dispute is shirk akbar, no matter where it is done and by which way, and "showing up in the courtroom" in and of itself is not tahakum/shirk biLLAH. Learn the difference.

9- Those who claim: "We judge everybody as a mushrik if he goes to the courtrooms because going there is only done for tahakum, and whoever disagrees is a kafir, but those who go there could be muslims on the day of judgment with a valid excuse", then those people who believe this, are jahmiyyah and kuffar, because they believe that a person can do shirk akbar outwardly whilst being a muwahid in front of Allah, having inwardly iman. No muslim doubts in the kufr of the jahmiyyah and indeed many people today who go to extremes in these issues of tahakum are jahmiyyah, as we have seen in some cases.

10- What is apparent and known today without any doubt is that those groups who are extreme in issues of tahakum (and some are extreme in issues related to hukmu daar wa diyaar, issues that are connected with working for a taghut, taking passports etc) end up making takfir on each other and disagree a lot. The same happened when the Mu'tazilah made takfir on Ahlu-Sunnah because of issues realated to Asma wa Siffat (The beautiful names and attributes of Allah).

The Mu'tazilah split in many different groups and could not unite.

Some Mu'tazilah made takfir on those who didn't make takfir on Ahlu-Sunnah, whilst others 'only' made takfir on Ahlu-Sunnah and not the "aadhir" of Ahlu Sunnah. It maybe sounds strange for many people, but yes, there were Mu'tazilah who declared Ahlu-Sunnah as kuffar because of their creed in Asma wa Siffat and they even declared those people as kuffar who did not declare Ahlu-Sunnah as kuffar.

Their argument was: "Claiming that the believers will see Allah and believing that Allah has Hands, Fingers, a Face and Two Feet is comparing the Creator with the creation, so whoever affirms this is a kafir and mushrik and whoever doubts in his kufr is also a kafir."

So, the Mu'tazilah declared Ahlu Sunnah as kuffar based on their 'misunderstandings' of many issues related to the names and attributes of Allah, because they thought that Ahlu-Sunnah had fallen into shirk akbar. And we know for sure that many of the "scholars" and leaders of the Mu'tazilah were people who knew Arabic very well, they knew the Book of Allah and knew thousands of ahadith and they wrote many books, but still they made mistakes and ended up maing takfir on Ahlu-Sunnah and some even made takfir on those who do not make takfir on Ahlu-Sunnah.

Having said that, nobody should then be surprised when people today with much lesser knowledge about Quran and Sunnah than the Mu'tazilah of the past, declare takfir upon Muwahideen in issues which are not shirk nor kufr. And some even make "takfir on the one who does not make takfir".

Whoever wishes to read more about this, can visit:

<http://www.al-aqeedah.com/aqeedah/some-mistakes-regarding-tahakum-and-participating-in-gatherings-of-kufr.jps>